

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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United States of America,

Case No. 19-cr-312(3) (ECT/DTS)

Plaintiff,

v.

**REPORT AND RECOMMENDATION**

Jacqueline Zuniga-Garcia,

Defendant.

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Thomas Hollenhorst, U.S. Attorney's Office, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Plaintiff

Piper Kenney Wold, Law Office of Piper Kenney Wold, 331 Second Avenue South, Suite 705, Minneapolis, Minnesota 55401, for Defendant

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Defendant Jacqueline Zuniga-Garcia brought a Motion to Suppress Search and Seizure Evidence [Docket No. 57] along with several non-dispositive motions. On May 29, 2020 her counsel advised the Court that she did not intend to have witnesses appear in support of her motion to suppress and that it could be decided on the papers without a hearing.

Zuniga-Garcia did not file any memorandum of law or other materials in support of her motion.<sup>1</sup> The motion itself, which was filed on February 25, 2020, simply states she is moving "to suppress any evidence obtained as the result of any illegal searches or seizures" in violation of the Fourth Amendment and that "[t]here was no probable cause to support these searches." Docket No. 57. She asserts her "motion is based upon the

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<sup>1</sup> She filed three short memoranda in support of non-dispositive motions, but none of them addresses the motion to suppress. See Docket Nos. 48, 50, 55.

Indictment, the records and files in the above-action, and any and all matters which may be presented prior to or at the time of the hearing on said motion.” *Id.*

Zuniga-Garcia has not identified specific evidence she seeks to suppress nor any particular bases to support any suppression of evidence. Accordingly, the Court recommends her motion be denied for lack of specificity.

### **RECOMMENDATION**

For the reasons set forth above, the Court RECOMMENDS that Defendant Jacqueline Zuniga-Garcia’s Motion to Suppress Search and Seizure Evidence [Docket No. 57] be DENIED.

Dated: June 24, 2020

s/David T. Schultz  
DAVID T. SCHULTZ  
U.S. Magistrate Judge

### **NOTICE**

**Filing Objections:** This Report and Recommendation is not an order or judgment of the District Court and is therefore not appealable directly to the Eighth Circuit Court of Appeals.

Under Local Rule 72.2(b)(1), “a party may file and serve specific written objections to a magistrate judge’s proposed finding and recommendations within 14 days after being served a copy” of the Report and Recommendation. A party may respond to those objections within 14 days after being served a copy of the objections. LR 72.2(b)(2). All objections and responses must comply with the word or line limits set for in LR 72.2(c).